

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

WILLIAM FLOWER,

Plaintiff,

v.

TECHTRONIC INDUSTRIES CO., LTD.,  
TECHTRONIC INDUSTRIES NORTH  
AMERICA, INC., ONE WORLD  
TECHNOLOGIES, INC., RYOBI  
TECHNOLOGIES, INC. and  
HOME DEPOT U.S.A., INC.,

Defendants.

Civil Action No. 09-2736-DMC-CCC

Honorable Dennis M. Cavanaugh

CHRISTOPHER HELMES,

Plaintiff,

v.

TECHTRONIC INDUSTRIES CO., LTD.,  
TECHTRONIC INDUSTRIES NORTH  
AMERICA, INC., ONE WORLD  
TECHNOLOGIES, INC. and HOME DEPOT  
U.S.A., INC.,

Defendants.

Civil Action No. 09-0883-DMC-JAD

Honorable Dennis M. Cavanaugh

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**DECLARATION OF ANGUS W. DWYER IN SUPPORT OF PLAINTIFFS'  
MEMORANDA OF LAW IN OPPOSITION TO DEFENDANT TECHTRONIC  
INDUSTRIES CO., LTD.'s MOTIONS TO DISMISS  
AND FOR SUMMARY JUDGMENT**

PHILLIP ORCHOWSKI,

Plaintiff,

v.

TECHTRONIC INDUSTRIES CO., LTD.,  
TECHTRONIC INDUSTRIES NORTH  
AMERICA, INC., ONE WORLD  
TECHNOLOGIES, INC. and RYOBI  
TECHNOLOGIES, INC.,

Defendants.

Civil Action No. 09-3653-DMC-JAD

Honorable Dennis M. Cavanaugh

LAWRENCE A. STRELEC,

Plaintiff,

v.

TECHTRONIC INDUSTRIES CO., LTD.,  
TECHTRONIC INDUSTRIES NORTH  
AMERICA, INC., ONE WORLD  
TECHNOLOGIES, INC. and HOME DEPOT  
U.S.A., INC.,

Defendants.

Civil Action No. 09-0742-DMC-JAD

Honorable Dennis M. Cavanaugh

I, Angus W. Dwyer, hereby declare as follows:

1. I am an attorney at the firm of Boies, Schiller & Flexner LLP and represent Plaintiff in this matter. I have personal knowledge of the matters stated in this declaration.

2. Attached hereto as Exhibit A is a true and correct copy of a document produced by Defendant One World Technologies, Inc. ("One World") bearing the Bates numbers One World Technologies 014784 through One World Technologies 014789.

3. Attached hereto as Exhibit B is a true and correct copy of a document produced by Defendant One World bearing the Bates numbers One World Technologies 015431 through One World Technologies 015435.

4. Attached hereto as Exhibit C is a true and correct copy of a document produced by Sears, Roebuck & Co. ("Sears") in its capacity as a defendant in a related action bearing the Bates numbers S06173 through S06179.

5. Attached hereto as Exhibit D is a true and correct copy of a document produced by Defendant One World bearing the Bates numbers One World Technologies 017694 through One World Technologies 017695.

6. Attached hereto as Exhibit E is a true and correct copy of a document produced by Defendant One World bearing the Bates numbers One World Technologies 017701 through One World Technologies 017704.

7. Attached hereto as Exhibit F is a true and correct copy of a document produced by Defendant One World bearing the Bates numbers One World Technologies 017733 through One World Technologies 017734.

8. Attached hereto as Exhibit G is a true and correct copy of a document produced by Defendant One World bearing the Bates numbers One World Technologies 003417 through One World Technologies 003418.

9. Attached hereto as Exhibit H is a true and correct copy of a document produced by Defendant One World bearing the Bates numbers One World Technologies 003427 through One World Technologies 003429.

10. Attached hereto as Exhibit I is a true and correct copy of a document produced by Defendant One World bearing the Bates numbers One World Technologies 018062 through One World Technologies 018063.

11. Attached hereto as Exhibit J is a true and correct copy of a document produced by Defendant One World bearing the Bates numbers One World Technologies 018012 through One World Technologies 018014.

12. Attached hereto as Exhibit K is a true and correct copy of excerpts from the deposition of David Peot taken November 6, 2008.

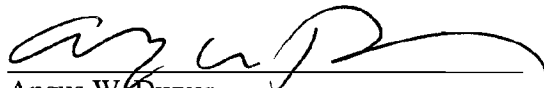
13. Attached hereto as Exhibit L is a true and correct copy of an excerpt from the deposition of David Peot taken March 5, 2009.

14. Attached hereto as Exhibit M is a true and correct copy of a document produced by Sears in its capacity as a defendant in a related action bearing the Bates numbers S06266 through S06269.

15. Attached hereto as Exhibit N is a true and correct copy a document produced by Sears in its capacity as a defendant in a related action bearing the Bates numbers S06270 through S06275.

16. Attached hereto as Exhibit O is a true and copy of a page from TTI's website, [www.ttigroup.com](http://www.ttigroup.com), printed on March 8, 2011.
17. Attached hereto as Exhibit P are true and correct excerpts from the 2009 annual report of TTI.
18. Attached hereto as Exhibit Q is a true and correct copy of a page from TTI's website for its Ryobi line of products, [www.RyobiTools.com](http://www.RyobiTools.com), printed on March 8, 2011.
19. Attached hereto as Exhibit R is a true and correct copy of a press release issued by TTI on September 22, 2003 and printed from TTI's website on March 8, 2011.
20. Attached hereto as Exhibit S is a true and correct copy of a chart showing table saw sales by model and by year produced by Defendant One World.
21. Attached hereto as Exhibit T is a true and correct copy of a page from TTI's website, [www.ttigroup.com](http://www.ttigroup.com), printed March 8, 2011.
22. Attached hereto as Exhibit U is a true and correct copy of excerpts from the deposition of Wayne Hill taken June 11, 2009.
23. Attached hereto as Exhibit V is a true and correct copy of the 2009 Form 10-K filed by Home Depot U.S.A., Inc. with the Securities and Exchange Commission on March 25, 2010 and printed from the SEC's EDGAR website on March 8, 2011.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 9<sup>th</sup> day of March, 2011 in Albany, New York.

  
Angus W. Dwyer